



## **MINUTES OF THE MILLVILLE TOWN COUNCIL MEETING**

December 14, 2021 @ 7:00 P.M.

### **1. Call to Order:**

Mayor Belinko called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**. **Present:** Council Members Sharon Brienza, Barbara Ryer, Robert Wisgirda, and Steve Maneri. Town Manager Debbie Botchie, Town Solicitor Seth Thompson, Town Engineer Andrew Lyons, Code & Building Official Eric Evans, Administrative Assistant Jennifer Ireland, and Town Clerk Wendy Mardini.

### **2. Adoption of Town Council Meeting Minutes:**

A. November 9, 2021, Town Council Meeting Minutes

*Council Member Brienza made a motion to approve the Town Council meeting minutes for November 9, 2021, seconded by Council Member Ryer. Mayor Belinko asked for an individual vote of the Council Members as follows:*

<i>Council Member Sharon Brienza</i>	<i>Yes</i>
<i>Council Member Barbara Ryer</i>	<i>Yes</i>
<i>Council Member Steve Maneri</i>	<i>Yes</i>
<i>Council Member Ron Belinko</i>	<i>Yes</i>
<i>Council Member Robert Wisgirda</i>	<i>Yes</i>
<i>The motion carried unanimously 5-0</i>	

### **3. Financial Report: Treasurer, Barbara Ryer**

A. Financial Report for November 2021

Treasurer Barbara Ryer presented the Financial Report. General funds revenue is down \$154,712.00 primarily since no money was collected from Mediacom or gross rental receipts. Treasurer Ryer noted that building permits and inspections fees remain up. General fund expenditures were up to \$55,900.00 primarily due to landscaping, extra printing costs and professional engineering costs. Restricted revenue is down \$134,943.00 primarily due to gross transfer tax. Restricted expenses are up \$159,589.00 mainly due to expenses at Evans Park, police invoices and capital building improvements. The general interest from the WSFS checking account is \$461.00 and restricted income is \$476.00, noting that they stay about the same each month. No question or comments.

4. **Mayor's Message:** Mayor Belinko said that Council works diligently to provide services to the residents for an excellent quality of life and a beautiful place to live. He referred to the Comprehensive Plan filed by the Town of Millville. One of the things in that Plan is lack of public transportation. Mayor Belinko advised that our Town Manager Debbie Botchie decided to speak with a representative of DART regarding cost factors. He said the meeting took place via Zoom along with an Administrator of a nearby town who had an extensive report on costs. That Administrator took the information back to their town council and it was voted down. The reason Mayor Belinko was concerned about this situation is due to an article that appeared in a local newspaper stating that DART, because of the ridership drop off, was not able to help fund any type of transportation for a nearby town; and the Town of Millville was not interested in helping with the funding. Mayor Belinko stated he took offense to someone criticizing our Town unjustly. It was never discussed at the meeting that we were not interested in helping to fund the project. He said that it is going to take all the surrounding towns to get together with government agencies to have DART provide some type of public transportation to this part of Sussex County.

Mayor Belinko also noted that there are many legislative sessions coming up. The Town of Millville will be represented by Senator Hocker and Representative Gray. The Town was also represented at the ribbon cutting for the Historic Village in Ocean View and the Southern Delaware Tourism Awards luncheon. He said we want the State of Delaware to know we want to be involved.

5. **Administrative Matters:** Town Manager, Debbie Botchie  
 A. Administrative Report for November 2021

Town Manager, Debbie Botchie advised that she had nothing to add.

6. **Citizens' Privilege-** None

7. **Appointments**

A. Mayor Belinko to appoint, with confirmation from the Town Council, Michael Burgo as a member of the Planning & Zoning (P&Z) Commission for the remainder of the term expiring March 2024.

Mayor Belinko recommended to Council to appoint Michael Burgo to the Planning and Zoning Commission due to a vacancy that opened.

***Council Member Ryer made a motion to approve the appointment of Michael Burgo as a member of the Planning and Zoning Commission. Seconded by Council Member Brienza. The motion carried unanimously 5-0.***

Mr. Michael Burgo was then sworn in by Town Clerk, Wendy Mardini.

## 8. New Business

- A. Review, discuss, and possible vote on a final site plan submitted by Land Tech Land Planning, LLC, on behalf of MTK Real Estate, LLC (Banks Wine and Spirits), for the expansion of the existing parking lot and the addition of a 2,400 square foot storage building; Located at 38014 Town Center DR; Tax Map Parcel #134-12.00-410.00 and 134-12.00-411.01; Zoned C-2-Town Commercial District.

*Synopsis: On March 11, 2021, the P&Z Commission reviewed a concept site plan, for the above-mentioned proposal. November 18, 2021, the P&Z Commission voted to recommend to Town Council for final approval the above-mentioned site plan with the recommendation of a 6 ft. tall vinyl fence to be added along the south end of the parking lot to reduce headlight glare into the adjacent community.*

Mayor Belinko introduced Jeff Clark of Land Tech Land Planning, LLC, who is a registered landscape architect representing Banks Wine & Spirits and their expansion plans.

The application is for an expansion of an existing parking lot and the addition of a 2,400 square foot storage building. Mr. Clark explained the landscape plan illustrating the intention to leave the existing buffer between the pond to the south and the new parking lot, as well as the existing planting for the northern property boundary. He stated most of the visual buffer between the pond and Banks property lies on the adjoining pond slope which will not be disturbed and pointed out several decorative plantings along Town Center Drive.

Mr. Clark addressed the Planning Commission's request for a 6-foot-tall vinyl privacy fence that will run along the edge of the parking lot, so headlights do not shine on the residential homes of the neighborhood.

Mr. Clark also explained the architectural plans where the location of the 2,500-foot proposed storage building is shown. He explained this storage facility is designed for deliveries to the south space of the building, which has an overhang and weather protection and two tall overhead doors. He pointed out the north end of the storage building has a single overhead door and that is for transporting stock into the retail store.

Mr. Clark explained the new parking lot proposes a new truck delivery entrance that will be shared with the retail customers as well. The trucks now can enter the site, go directly up to the new entrance and back in for deliveries, then exit and leave the site easily. This is an effort to separate the delivery traffic from the patrons, obviously for safety.

He further explained that the parking required here meets the code. There is one parking space required per three hundred square feet of retail area plus one per employee. That produces a requirement for thirty-four spaces on the site and there are

fifty-three parking spaces shown on this plan. At some point in the future when the storage building is built, the existing store will become all retail, it is retail and storage right now. That would increase the number of parking spaces required to forty-three. Three of the parking spaces by code are required to be handicapped accessible, and three are provided. He also pointed out that there will be a new dumpster location which will be fully enclosed.

Mayor Belinko commented on all the new plantings that will be installed. Mr. Clark went on to explain all new plantings that are along the entrance drive will be introduced for this this project and the existing plantings will remain as well. Mayor Belinko suggested in lieu of the fence, would there be any other shrubs that can be put there to make it look more attractive. Mr. Clark responded that it would be up to the Town and if they wanted plantings in lieu of a fence. The Council Members all agreed with the Mayor and suggested more plantings.

Mr. Andrew Lyons commented on the presentation. He advised the Council that this is a legal non-conforming site, the original store was zoned and approved before the expansion of the Route 26 project. The other two items that were shown within setbacks, which are the dumpsters and the relocated shed, and the end of the truck turn around and are of a size that allow them to be inside the side yard setback and that is also legal. Mr. Lyons stated that on his comment letter, there were three other items, three, four and five and all have been addressed by the applicant.

Mr. Seth Thompson asked Mr. Lyons to explain the natural vegetation versus the vinyl fence. Mr. Lyons advised that the buffer requirement is not required here as the pond is part of the C-2 District.

***Council Member Ryer made a motion to remove the previous condition suggested by the Planning & Zoning Commission for installation of a white vinyl fence. Seconded by Council Member Brienza. Mayor Belinko asked for an individual vote of the Council Members as follows:***

<b><i>Council Member Sharon Brienza</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Barbara Ryer</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Steve Maneri</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Ron Belinko</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Robert Wisgirda</i></b>	<b><i>Yes</i></b>

***The motion carried unanimously 5-0.***

***Council Member Brienza made a motion to approve the final site plan application of Banks Wines & Spirits for the expansion of the existing parking lot and the addition of a 2,400 square foot storage building. Seconded by Council Member Ryer. Mayor Belinko asked for an individual vote of the Council Members as follows:***

<b><i>Council Member Ron Belinko</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Barbara Ryer</i></b>	<b><i>Yes</i></b>

**Council Member Sharon Brienza**      **Yes**  
**Council Member Steve Maneri**      **Yes**  
**Council Member Robert Wisgirda**      **Yes**  
**The motion carried unanimously 5-0.**

- B. Review, discuss and possible vote on Bid# 22-1 Evans Park Irrigation Design/Installation- presented by Eric Evans:**
- i. Sposato Irrigation**
  - ii. Chester River Landscaping**

***Synopsis:** On November 12, 2021, the Town of Millville received the above bids for design and installation of an irrigation system for Evan Park.*

Mr. Eric Evans advised Council that he advertised for the irrigation system installation in the local newspaper for 45 days instead of 30 days since the engineering and design would take some time. On November 12, 2021, the two bids received were opened. Sposato Irrigation came in as the low bid. I recommend that we sign a contract with Sposato and have them start putting in the irrigation this winter before they get busy in the spring or summer.

Council Member Wisgirda pointed out that the base bid from Sposato Irrigation and the total were two different numbers. Mr. Evans said that he will contact Sposato to get a revised bid with the right numbers that match the first page of their bid. Ms. Botchie suggested not voting on this item until we get the corrected bid and the numbers match. Council agreed with her. The issue was tabled until the next meeting.

- C. Review, discuss and possible vote on Ordinance 22-01: An ordinance to amend the Town of Millville Code at Chapter 72 “Construction Hours”, § 72-2 “Permitted hours” and § 72-3 “Construction activities on Sundays and holidays”- presented by Eric Evans.**

***Synopsis:** If approved the amendment would allow delivery and supply of construction materials, removal of refuse from a construction site, and the starting up of engines of mechanized construction equipment or vehicles to occur up to one hour before and one hour after the hours permitted for construction activity. The Ordinance maintains the prohibition on those activities on Sundays and he specified holidays.*

Mr. Evans explained the amendment is geared towards safety. He said when individuals arrive to start work at eight o'clock, they start parking their vehicles on site, deliveries start coming in and then you have a lot of cross traffic. This will allow for ease of work activity regarding traffic and allowing workers to warm their vehicles up earlier in the winter, getting them ready to start work.

Mr. Thompson explained that construction activity was defined to include those additional items that are now being proposed to be removed and placed in Subsection B, where the activities can happen during the construction hours, as well as one hour before and one hour after. Then Section two of the proposed ordinance is just kind of

cleaned up in terms of removing the parenthetical language. He went on to explain that people did not necessarily think of delivering materials as being a construction activity, which is probably why it was included as a parenthetical initially. The language itself has remained the same, it is just being moved into a new subsection allowing the workers to do that type of work one hour before up to one hour after.

***Council Member Wisgirda made a motion to approve Ordinance 22-01. Seconded by Council Member Maneri. Mayor Belinko asked for an individual vote of the Council Members as follows:***

<b><i>Council Member Ron Belinko</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Barbara Ryer</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Sharon Brienza</i></b>	<b><i>No</i></b>
<b><i>Council Member Steve Maneri</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Robert Wisgirda</i></b>	<b><i>Yes</i></b>

***The motion carried 4-1.***

**D. Discuss and possible vote to amend the FY22 budget- presented by Treasurer Ryer**

Treasurer Ryer advised that there have been some changes in staffing at the Town over the last year and increases in the budget were suggested.

**General Fund Expenses:**

Awards/Gifts/ Flowers- suggesting an increase in budget to \$850.00 to cover for extra staff regarding Christmas dinner and gifts.

Building/Grounds/Maintenance/Landscape- suggesting an increase of \$1,600.00 covering things like cutting grass, cable repair to the elevator, the elevator belts, fire door batteries, etc.

Printing Services- suggesting an increase of \$1,000.00 representing a costs of extra printing services, extra tax bills and license envelopes along with Code Red information that was sent out to the residents.

Town Park Repairs/Maintenance- suggesting an increase of \$5,000.00 for park maintenance.

Town Park Supplies- suggesting an increase of \$3,500.00 for Park supplies.

**Restricted Expenses:**

Building Improvements- suggesting an increase of \$3,500.00 due to the reserve study the Town did, earmarking money for the next 30 years. The outside steps needed to be replaced along with the AC compressor.

Land Purchase- this represents land that the town is anticipating purchasing. The budget for that is \$3,841,500.

***Council Member Brienza made a motion to accept the amended budget for FY-22. Seconded by Council Member Ryer. Mayor Belinko asked for an individual vote of the Council Members as follows:***

<b><i>Council Member Ron Belinko</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Barbara Ryer</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Sharon Brienza</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Steve Maneri</i></b>	<b><i>Yes</i></b>
<b><i>Council Member Robert Wisgirda</i></b>	<b><i>Yes</i></b>

***The motion carried unanimously 5-0.***

**E. Discuss and possible vote to add Deputy Mayor Sharon Brienza as a contingency signer on the land acquisition closing documents.**

Since Mayor Ronald Belinko will be out of town during the holidays, and the Town does not want to hold up the purchase of the property on Dukes Drive, the Council is advising that Deputy Mayor Sharon Brienza will be authorized to sign any closing documents in his absence.

Mr. Wisgirda felt there was really no need for a vote since it was within the duties of the Deputy Mayor to sign in the absence of the Mayor. Mr. Thompson stated this item was on the agenda so the minutes would serve as a record as to why someone other than the Mayor signed documents.

***Mayor Belinko asked for an “all in favor” vote for the record. The motion carried unanimously 5-0.***

**F. Public Hearings Notice - Secretary Robert Wisgirda:** Notice of the following public hearings was posted in the legal section of the November 26, 2021, issue of the Coastal Point, and on the Town website and bulletin board on November 22, 2021.

**G. Ordinance 22-02: An ordinance to amend the Town of Millville Code at Chapter 155 “Zoning”, § 155-17 Appurtenances- presented by Eric Evans.**

***Synopsis: If approved the amendment revises the regulations regarding appurtenances. Specifically, it limits the size of mechanical pads/brackets to twelve square feet to hold mechanical equipment, and steps to porches/patios to three treads, measuring ten inches in depth each, in the side yard setbacks.***

- **PUBLIC HEARING:** Mayor Belinko opened the public hearing at 7:46 p.m.

Mr. Eric Evans advised that the Town wants to amend language allowing a concrete pad and/ or brackets for mechanical equipment, up to 12 square feet, within the side yard setback. The change would also allow for steps to porches and patios, no greater than three treads measuring ten inches deep each, in the side yard setbacks. Mr. Thompson went on to clarify the amendment stating its specificity.

- **Written and oral comments- none**
- **CLOSURE OF PUBLIC HEARING** - Mayor Belinko closed the public hearing at 7:50 p.m.

**H. Review, discuss and possible vote on Ordinance 22-02.**

*Council Member Wisgirda made a motion to approve Ordinance 22-02. Seconded by Council Member Ryer. The motion carried unanimously 5-0.*

**I. A revision to the Millville by the Sea (MBTS) Development Performance Standards, submitted by Civil Engineering Associates Inc. on behalf of Ardent Companies LLC - presented by Jeff Clark.**

*Synopsis: On November 18, 2021, the P&Z Commission voted to recommend to Town Council the revision of the MBTS Development Performance Standards for the removal of the Concept Plan submission and inclusion of a design review requirement.*

Council Member Bob Wisgirda, Council Member Sharon Brienza and Council Member Steve Maneri abstained.

- **PUBLIC HEARING:** Mayor Belinko opened the public hearing at 7:52 p.m.

Mr. Jeff Clark, a registered landscape architect with Land Tech Land Planning, began by discussing a proposed revision to the Millville by the Sea Master Plan Development Performance Standards. He stated the proposed revision is to remove the Concept Plan submission from the Subdivision Review Process. He stated the current Millville Code Subdivision Section 155-12 Concept Plan, states that for major subdivisions, the conceptual plan review is optional. That same Code section points out that one purpose of the Concept Plan step is to review a development prior to substantial commitment of time and expense on the part of the applicant preparing the site plan. Mr. Clark stated that they are here representing Ardent Companies who own undeveloped land in Millville by the Sea. They are fully aware that this proposed change in the Performance Standards may create a need for additional time and significant engineering expense if a preliminary site plan, after reviewed by the Planning Commission, would require a significant amendment. Mr. Clark said that there was no proposed abbreviation in the planning and design process because of this proposal or to alleviate the applicant addressing each of the Concept Plan requirements. This proposed change would combine the plan review requirements for concept and preliminary and, in our view, create a more detailed look at any specific village that is



being applied for. More detail in the initial application for village subdivision being reviewed by both the public and the Planning and Zoning Commission should in our opinion, be beneficial. Mr. Clark pointed out that one purpose of this proposal is to potentially allow individual Millville by the Sea village subdivisions to be reviewed and approved in a timelier fashion. He said that currently, the Millville by the Sea Master Plan contains at least eleven villages that have not yet been applied for including East villages, West villages and this Concept Plan requirement could add more than a year to the planning process. He stressed the point that they feel the proposed amendment really puts the burden on the applicant to have a complete preliminary site plan submission for presentation to both the Planning Commission and public. Mr. Clark stated, as recommended by the Planning & Zoning Commission, language is added on page five, under the heading Preliminary and Final Plans, which will require a design review prior to preliminary plan submission. That review is to be attended by the Code and Building Administrator, Town Manager, the Town Engineer, and a member of the Planning Commission.

Town Manager, Debbie Botchie asked to strike the “Code and Building Administrator” and add “Code and Building Official.”

Mr. Lyons advised he reviewed this request. He noted that most of the concept level issues have been already shown to the Council and to the Planning Commission regarding the entire development. Mr. Lyons said that the Master Plan and the amenity plan that has been submitted to the Planning Commission, has laid out the plan that we review against all the different villages. He suggested that in some sense, they have completed some of the concept requirements on a whole, not the individual villages, which is part of the request that the developer is making. Mr. Lyons stated that he had no issue with the request.

Mr. Thompson wanted to make clear for the public, in terms of substance, that there really are not any changes being proposed, just procedure. Mr. Lyons agreed.

- **Written and oral comments:**

**Citizen:** Mr. Craig Havenner of Christopher Companies, Fair Fax, VA. He stated he has been involved with the Millville by the Sea project for 11 years. He stated he just went through the Master Planning process for the Hudson Reserve property. Mr. Havenner added that this extra step was redundant, it was extra time on the part of the applicant and extra time on the Council’s part to review something that has already been reviewed 6 or 9 months earlier. He concurred that it benefits everyone in terms of additional efficiency and better use of everyone’s time. He supports the revision from a standpoint of having been through the process before because it helps to make sure all the issues are mentioned.

Ms. Botchie stated for the record there were no written comments.

- **CLOSURE OF PUBLIC HEARING** - Mayor Belinko closed the public hearing at 7:59 p.m.

**J. Review, discuss and possible vote on a revision to the MBTS Development Performance Standards**

*Council Member Ryer made a motion to approve the revision to the Millville by the Sea (MBTS) Development Performance Standards for the removal of the Concept Plan submission and inclusion of a design review requirement. Seconded by Council Member Belinko. The motion carried unanimously 2-0-3 abstentions.*

**K. A final subdivision site plan submitted by Land Tech Land Planning, LLC, on behalf of ASF MBTS, LLC for the proposed Millville by the Sea Village 5A Model Court. The 3.96 acres proposed subdivision consisting of 11 lots is located at Tax Map Parcel #(s) 134-12.00-380 and 134-15.00-120.01 and is zoned Master Plan Community (MPC).**

*Synopsis: On November 10, 2021, the P&Z Commission voted to recommend to Town Council the above-mentioned subdivision site plan for final approval.*

- **PUBLIC HEARING:** Mayor Belinko opened the public hearing at 8:01 p.m.

Jeff Clark, a registered landscape architect with Land Tech Land Planning. Mr. Clark explained that Village Five A is a 3.14-acre piece of the greater Village Five being described as a 23-acre tract. This is set at the intersection of the future Endless Summer Drive and Summer Wind Boulevard across from the Millville by the Sea East Side amenity with a bathhouse and clubhouse parking area. This Village Five A is also just east of what will become the main entrance into Millville by the Sea from Roxanna Road via Endless Summer Drive. He stated that the reason this Village is so modest in size is because it is intended to serve as a model court. He pointed out on the illustration that there are four single family homes rendered in yellow, four duplex homes rendered in blue, and three townhomes rendered in red. The setbacks and parking illustrated on this plan all conform to the Millville by the Sea Performance Standards. There are three parking spaces per unit as required and have been illustrated. All the easements for utilities and stormwater piping have been illustrated on the preliminary site plan. The gross density for Village Five A is three units per acre, the net density is 4.43 units per acre and space provided is point 9.2 acres and represents 37% of the net area, and 29% of the gross area. It also illustrates the landscaping plan with earth berming included preliminary site plan application to buffer this Village from both Roxanna Road, Endless Summer Drive and Summer Wind Boulevard.

Mr. Andrew Lyons advised he has reviewed the plans. The Planning & Zoning Commission met and discussed the concept plan for the ten lots and met on November 10, 2021. We then reviewed the eleven lot Village 5A with all the changes recommended at the November 7, 2021, meeting and voted to recommend changing the access point. He stated that there is a little stipulation in the process of construction on this, that

Endless Summer Drive is still being reviewed in the final stages. Everything else is approved. The change was a request by residents of Summer Wind Boulevard to move the location for the entrance from Summer Wind Drive to Endless Summer Drive.

**Written and oral comments:**

**Citizen:** Mr. Robert Gray of 34844 Surf Song Landing, Millville, DE 19967. Mr. Gray is on the Summer Wind HOA Board. Mr. Gray wanted to thank Mr. Rod Hart and the Town Council for listening to their concerns about moving the entrance into the model court. All the residents very much appreciate it.

No written comments.

- **CLOSURE OF PUBLIC HEARING** - Mayor Belinko closed the public hearing at 8:07 p.m.

**L. Review, discuss and possible vote on a final subdivision site plan for MBTS Village 5A Model Court.**

*Council Member Belinko made a motion to approve the final subdivision site plan for the proposed Millville by the Sea Village 5A Model Court. Seconded by Council Member Ryer. The motion carried unanimously 2-0-3 abstentions.*

Council Member Bob Wisgirda, Council Member Sharon Brienza and Council Member Steve Maneri have returned to the dais.

**M. A final subdivision site plan submitted by Civil Engineering Associates on behalf of Christopher at Millville, LLC for the proposed 124 residential lot community Hudson's Reserve. The site is located on Tax Map Parcel 134-15.00-115.00 and is MPC.**

**Synopsis:** *On April 13, 2021, the Town Council voted to approve a preliminary schematic development plan. The applicant is now seeking approval of the final subdivision site plan.*

- **PUBLIC HEARING:** Mayor Belinko opened the public hearing at 8:09 p.m.

Mr. Ron Sutton of Civil Engineering Associates introduced himself. He is representing his client, Christopher Companies, regarding the Hudson's Reserve project. Mr. Sutton began by saying that this project was originally annexed into the town around 2006 as an MPC and was originally planned to be a part of the Millville by the Sea.

The current project is 124 lots with sixty-four single family lots and sixty villa lots, there is a density of 2.99 Lots per acre. The site is 41.51 acres, there is about 1.64 acres of wetlands, 1.18 acres of right-away and a dedication to DelDOT. There is a 15-foot permanent easement with a shared use path all the way around the property.

There is a future commercial portion because this is zoned MPC and must have a commercial component. It is 1.89 acres presently. It was somewhat larger on the preliminary plan, but it had to be shrunk due to some right of way dedication that had to take place coming into the project. He said that the commercial area will be submitted under a separate plan and that they are just concentrating on residential at this point. He stated that green space is at 43%, where it requires 30% and the commercial will meet the required 25%. Mr. Sutton explained regarding parking, the town requires two parking spots, and they have an average of three parking spots per unit or 372 parking spots. There are quite a few buffers and easements that they have established along with a 25-foot wetland buffer. There is a 20-foot MPC buffer, a 25-foot self-imposed tax ditch buffer, and a 15-foot easement all the way around the property off the right of way for the shared use path. There is over two thousand linear feet of road improvements not including the future roundabout. He stated that they are in the process of doing the TIS which is required by DelDOT to have completed before they would approve the commercial site. He pointed out that there will be work done on Peppers Corner Road, as well as Roxana Road with new turning lanes completed. With tapers, the road improvements extend from the corner, almost all the way past the future Tidewater facility where the tower will be. The amenities have changed a little bit from when the plans were originally submitted. There is a pool, a pickleball court, walking trails, firepits benches, and the tot lot. There are 5-foot sidewalks on both sides of the roads, all the way around the community. This project is a little different than some of the other projects in Millville. There is lots of open space with landscaped sidewalks. The last item Mr. Sutton addressed is the mailbox cluster. There will be six parking spots with one handicap parking spot and handicap access. The mailbox cluster will be the same design used in Millville by the Sea on every project that has been in front of Council for the last couple of years.

Mr. Lyons reminded Council this was the fifth meeting and the fifth public hearing on this project. On December 8, 2020, the Council approved the sketch plans. On April 13, 2021, Council met and approved the schematic plan for this project. The comments in his review letter have been addressed up to item 11 and 12 which is the water service for the commercial lot. It has been noted they will put that in when the commercial is approved. That way they know exactly where it will be placed. Mr. Lyons commented about the need for a crosswalk where the 8-foot sidewalk is located. The sidewalks need to go into the crosswalks. Mr. Sutton said that he could change that easily.

- **Written and oral comments:**

Town manager Botchie stated she had received written comments, but the time had expired for submission. The person making those comments called her the morning of the meeting. She stated she had a conversation with him explaining the process. It was the fire chief from the Millville Fire Company. She explained Council had already approved the schematic plan as well as the preliminary plan. There was a question about the dead-end roads, but she explained to him that the Fire Marshall had already

approved the plans. Mr. Lyons gave a brief explanation of the Fire Marshall requirements and stated the plans met them. There were no other comments.

- **CLOSURE OF PUBLIC HEARING** - Mayor Belinko closed the public hearing at 8:18 p.m.

N. Review, discuss and possible vote on a final subdivision site plan for the proposed 124 residential lot community Hudson's Reserve.

*Council Member Wisgirda made a motion to approve the final subdivision site plan submitted by Civil Engineering Associates on behalf of Christopher at Millville, LLC for the proposed 124 residential lot community Hudson's Reserve with the sidewalk change that was previously mentioned. Seconded by Council Member Ryer.*

<i>Council Member Ron Belinko</i>	<i>Yes</i>
<i>Council Member Barbara Ryer</i>	<i>Yes</i>
<i>Council Member Sharon Brienza</i>	<i>Yes</i>
<i>Council Member Steve Maneri</i>	<i>Yes</i>
<i>Council Member Robert Wisgirda</i>	<i>Yes</i>

*The motion carried unanimously 5-0.*

9. Citizens' Privilege- None

10. Announcement of Next Meeting: tentatively January 11, 2022

11. Adjournment

*A motion was made by Council Member Brienza, seconded by Council Member Ryer, to adjourn the meeting at 8:23 p.m. The motion carried unanimously 5-0*

Respectfully submitted,

WENDY MARDINI  
Town Clerk